THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.26594 of 2006

Dated: 26.11.2007

Between:

Sd.Saleema. .. Petitioner.

And

The Depot Manager,
APSRTC, Giddalur Depot,
Prakasam District
and others. .. Respondents

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THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.26594 of 2006

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in denying the APSRTC SBT Fund insured amount of Rs.1,00,000/- as per the agreement dated 31.12.1998 as illegal and arbitrary, and consequently, direct the respondents to pay the APSRTC SBT Fund insured amount of Rs.1,00,000/- with interest from the date of death of the workman i.e., from 11.12.2004.

2. There is no necessity of going into all the details.

3. The 3rd respondent filed a counter stating that the very agreement dated 31.12.1998, which is executed between it and the 2nd respondent and under which the petitioner is claiming the benefit, was cancelled. Aggrieved thereby, the 2nd respondent filed the suit in O.S.No.816 of 2000 on the file of the learned VII Senior Civil Judge, City Civil Court, Hyderabad and the same was dismissed on 28.07.2004, and aggrieved thereby, the 2nd respondent further carried the matter in CCCA No.298 of 2004 and the same is still pending before this Court.

4. In view of the aforesaid averments in the counter, nothing survives in this writ petition for further adjudication and the writ petition is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed as infructuous. No order as to costs.

(C.V.RAMULU,J)

Dt.26.11.2007

v v